

BRENDA K. BOYKIN,  
  
Plaintiff,  
  
v.  
  
MICHAEL J. ASTRUE,  
Commissioner of Social Security,  
  
Defendant.

On February 6, 2012, Magistrate Judge Daniel issued a Memorandum and Recommendation (“M&R”) [D.E. 35]. In the M&R, Judge Daniel recommended that the court grant Brenda K. Boykin’s (“Boykin” or “plaintiff”) motion for judgment on the pleadings, deny Michael J. Astrue’s (“Commissioner” or “defendant”) motion for judgment on the pleadings, and remand the action to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the M&R. No party objected to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis and quotation omitted). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

Case 5:10-cv-00580-D Document 36 Filed 02/28/12 Page 1 of 2

is GRANTED, defendant's motion for judgment on the pleadings [D.E. 31] is DENIED, and the action is REMANDED to the Commissioner for proceedings as set forth in the M&R.

SO ORDERED. This 18 day of February 2012.

  
JAMES C. DEVER III  
Chief United States District Judge